A meeting of the Board of Environmental Managaement was held on Tuesday, January 10, 1989 at 12 noon in the office of the Commissioner, 100 Cambridge Street, Boston.

The meeting was called to order by Chairperson Sarah Bell. Members present including the Chair -- Hugh Davis, Nan Jenks-Jay, James Tobin. Absent - David Musante, Carol Lash, John Capone. Also present was Commissioner James Gutensohn.

Upon motion of Hugh Davis, seconded by James Tobin, the minutes of the December 13, 1989 meeting were unanimously approved.

Commissioner Gutensohn reported on the shortfalls in both DEM's operating and capital budgets. In the latter - causing delays on many acquisition and construction projects; in the former, cuts that will affect seasonal hirings and opening recreational facilities far into the spring - as well as potential layoffs of seasonal personnel at the rinks.

Jack Lash updated the Board on the GOALS program - as did Shelley Beeby on the search process for a new director of the Division of Forests and Parks.

A discussion was held regarding the Greylock Glen project, and depending on the timing, the Board will receive briefings on land disposition and the study on the lake and dam at either the February or March meeting.

Director Richard Thibedeau and his staff made a presentation on the Ipswich River Basin Study and the initiatives aimed at implementation through conservation efforts.

The date for the next Board meeting was scheduled for Tuesday, February 14, 1989 at 12 noon in the office of the Commissioner, with the following items on the Agenda.

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1. Search Process (Shelley Beeby)

2. DEM Natural Area Protective Program

   (a) Representative

   (b) Backwater

3. HSP slide presentation by Chris Greene (former director of the HSP program)

4. Election of Officers

There being no further business to come before the Board the meeting adjourned at 2:45 p.m.

Secretary pro tem

A meeting of the Board of Environmental Management was held on Tuesday, February 14, 1989 at 12 noon, in the office of the Commissioner, 100 Cambridge Street, Boston.

The meeting was called to order by Chairperson Sarah Bell. Members present including the Chair -- Carol Lash, James Tobin, and Hugh Davis. Members absent - David Musante, Nan Jenks-Jay, and John Capone.

Upon motion of Carol Lash, seconded by Hugh Davis, the minutes of the January 10, 1989 meeting were unanimously approved.

The Board met with Richard Kendall and discussed with him a number of forest and park issues, particularly in the context of the very tight budget situation. Operating budget problems were presented by Commissioner Gutensohn. After considerable discussion, the Board unanimously voted to support the 100% Retained Revenue by the Department in the pending FY'89 budget. Cindy Barakatt of the Communications office will draft a position statement for the Board on this issue.

Jack Lash and Robert Jeltch made a presentation on DEM's Natural Area Protective program.

In the context of the search process for the position of Director of Forests & Parks, Hugh Davis moved, Carol Lash seconded the motion, that the Board write a letter to Richard Kendall notifying him of their interest in him applying for the position of Director of Forests & Parks.

The Board agreed to hold election of officers at the March 1, 1989 meeting and the following slate was proposed.

1. As Chairperson, Nan Jenks-Jay -- upon motion of Carol Lash seconded by James Tobin.
2. AS Vice-Chairman, James Tobin -- upon motion of Carol Lash, seconded by Hugh Davis.
3. As Secretary, Carol Lash -- upon motion of James Tobin, seconded by Hugh Davis.

The date for the next Board meeting was scheduled for Wednesday, March 1, 1989 at 12 noon, in the office of the Commissioner.

There being no further business to come before the Board, the meeting adjourned at 2:15 p.m.

Carol A. Lash
Secretary pro tem

A meeting of the Board of Environmental Management was held on Wednesday, March 1, 1989 at 12 noon in the office of the Commissioner, 100 Cambridge Street, Boston.

The meeting was called to order by Chairperson Sarah Bell. Members present including the Chair -- Carol Lash, Hugh Davis, James Tobin, and David Musante. Also present was Commissioner James Gutensohn.

Upon motion of Hugh Davis, seconded by James Tobin, the minutes of the February 14, 1989 meeting were unanimously approved.

The election of Board officers was placed on the table for discussion. Upon motion of Hugh Davis, seconded by James Tobin, it was voted to accept the slate of officers for the coming year, as nominated at the February 14 Board meeting --

Nan Jenks-Jay	-	Chairperson
James Tobin	-	Vice-Chairman
Carol Lash	-	Secretary

Sarah Bell moved to confirm the appointment of Richard Kendall as Acting Director of the Division of Forests & Parks, seconded by David Musante --unanimously approved.

Commissioner Gutensohn reported on the very tight operating budget and its impact on the Division of Forests & Parks this coming spring.

Chris Greene made a slide presentation on the Heritage State Park program.

Hugh Davis proposed that at the next Board meeting, Mark Finnen and other representatives of the Office of Planning & Development be available to discuss the scenic landscape inventory.

There being no further business to come before the Board, the meeting adjourned at 2:30 p.m.

The date for the next Board meeting was scheduled for Friday, April 7, 1989 at 10:30 a.m. in the office of the Commissioner.

James M. Tobin
Secretary pro tem

A meeting of the Board of Environmental Management was held on Friday, April 7, 1989 at 10:30 a.m. in the office of the Commissioner, 100 Cambridge Street, Boston.

The meeting was called to order by Vice-Chairman James Tobin, Members present - Sarah Bell, David Musante, Hugh Davis, Nan Jenks-Jay. Absent - John Capone, Carol Lash. Also present was Commissioner James Gutensohn.

Upon motion of Sarah Bell, seconded by Hugh Davis, the minutes of March 1, 1989 meeting were unanimously approved.

Commissioner Gutensohn reported to the Board on various budget issues and the opening of the park system.

The introduction of Andrea Lukens as DEM's new Director of Natural Resource Planning was warmly received by the Board members.

Ms. Lukens said that she would have an update on the Scenic Landscape Inventory for the Board's consideration at the May Board meeting.

Jack Lash presented a slide show on the GOALS program, and an update on the Natural Areas program. He indicated that GOALS plans for the Boxford State Forest and F. Gilbert Hills State Forest would be distributed at the May and June meetings, respectively.

There being no further business to come before the Board the meeting adjourned at 12:30 p.m.

The date for the next Board meeting was scheduled for Friday, May 19, 1989 at 10:30 a.m. in the office of the Commissioner.

Sarah H. Bell

Secretary pro tem

A meeting of the Board of Environmental Management was held on Friday, May 19, 1989 at 10:30 a.m. in the office of the Commissioner, 100 Cambridge Street, Boston.

The meeting was called to order by Chairperson Nan Jenks-Jay. Members present including the Chair -- Carol Lash, Sarah Bell, James Tobin and David Musante. Absent -- John Capone and Hugh Davis. Also present was Commissioner James Gutensohn.

Upon motion of Sarah Bell, seconded by James Tobin, the minutes of the April 7, 1989 meeting were unanimously approved.

Commissioner Gutensohn notified the Board that the Governor intends to swear-in Richard Kendall as Commissioner of the Department of Environmental Management on June 2nd. He said that Mr. Kendall had asked him to convey his desire to meet with the Board as soon as possible, and that he would be calling each of them individually by phone within the next two weeks.

The Commissioner introduced Jon Geer as the Acting Deputy Commissioner for Administration and Finance replacing Kathy Prosser.

Department Secretary Johanna Zabriskie briefed the Board members on the Pride and Performance nominations and led a discussion on same. Based on the discussion, the Board gave its approval to the DEM Employee Recognition Committee's recommendation for the following --

* Michael Magnifico, Forest & Park Supervisor
  Salisbury Beach State Reservation

  Claire D'Angelo, Administrative Assistant
  Forests & Parks - Boston office

  James Dion, Assistant Regional Supervisor
  Region 4 Headquarters, Amherst

* (Indicates Carbello nominee)

The Board chose the following individuals for the three remaining awards:

Hollis Wilkens, Skilled Conservation Helper
Bureau of Fire Control, Region 2

Allen Haskens, Motor Equipment Mechanic
Mt. Greylock State Reservation, Region 5

Lauren Sloat, Legal Counsel
Administration/Boston office

Jack Lash led a discussion on the F. Gilbert Hills and the Pittsfield State Forests GOALS Plans - both of which were deferred until June for final action.

Jack Lash also proposed to the Board recommendations for designation of the Natural Areas Program. Upon motion of Sarah Bell, seconded by Carol Lash, the Board unanimously approved of 11 Natural Areas designation (see attached).

Shelley Beeby gave a presentation on the "Opening Day" for parks 1989 and the activities that will be carried out through the summer under the "Water Theme".

There being no further business to come before the Board the meeting adjourned at 1:30 pm.

The next meeting of the Board was scheduled for Monday, June 12, 1989 at 11:00 a.m.. at the Mohawk Trail State Forest.

Sarah H. Bell
Secretary pro tem

A meeting of the Board of Environmental Management was held on Monday, June 12, 1989 at 12:30 p.m. at the Lowell Heritage State Park.

Members present -- Chairperson Nan Jenks-Jay, Sarah Bell, Hugh Davis, James Tobin. Absent were John Capone, Carol Lash, David Musante. Also present were Commissioner Richard Kendall, Deputy Commissioners Beeby and Geer.

Upon motion of Hugh Davis, seconded by James Tobin, the minutes of the May 19,1989 meeting were unanimously approved.

Deputy Commissioner Shelley Beeby distributed brochures and several pamphlets advertising coming events at various DEM facilities. Due to the budget crisis, she said, all printing matter is being done in-house at very minimal cost. We are unable to print the Newsletter but we are putting together an "update" on DEM happenings which will be sent to you shortly. Dr. Davis suggested the possibility of "tapping" the private sector for contributions. Ms. Beeby stated that her staff is in fact looking into this very aspect and that a meeting has been scheduled with EOEA staff to explore this possibility. Sarah Bell asked the status of the annual report. Ms. Beeby replied that due to lack of funds the report cannot be printed - but she would send them "draft" copies of each division's report for their information.

Don Stoddard, Regional Supervisor for Region II gave an overview of the diverse activities within the Region - ocean and lake beaches, pool, rink, camping, picnicking, cross country skiing, three heritage parks, and an outstanding interpretive program. He highlighted - Lowell Heritage State Park, which is tied in closely with the Lowell National Heritage State Park, as being the "flagship" park with more annual visitors than all others (over 250,000) and attributed its success to a cooperative effort of state, federal and local officials;

Walden Pond State Reservation - considered an international interpretive area as well as the most popular in the region; Cochituate and Hopkinton State Parks although small in acreage by comparison, generates well over $100,000 in revenue.

Mark Finnen, DEM's Landscape Architect, presented a slide show on the numerous scenic landscapes throughout Massachusetts and provided the Board members with copies of the DEM's Massachusetts Landscape Inventory which, he said, is being updated. The Board expressed its approval of the program and requested that they be kept informed of its progress.

Cassie Thomas, Project Coordinator for the Scenic Rivers program, presented her proposals to bring the program back into focus following its six months hiatus. The essential tools to implement this program, she said, is to revise Chapter 91 regulations, to proivde technical assistance, educate the public as to the importance of local river protection. She informed the Board that there are six rivers management planning grants underway in the amount of $90,000 for the Westfield, French, Neponset, Taunton, Konkapot, and Slocums Rivers. The Board expressed its support of the program and asked to be kept up to date.

Jon Geer, Deputy Commisioner for Administration & Finance, gave a comparative overview of DEM's FY'89 operating budget, FY'90 Governor's/House, and Senate Ways & Means budget recommendations. He said that the Department's FY'89 operating budget was a consolidation of all five divisions - $29.3 million, with a retained revenue of $2.5 million designated specifically for maintenance, equipment, etc. which resulted in an overall cutback in all divisions, particularly Forests & Parks.

Staffing level reduced from 698 to 665. DEM's FY'90 budget request - $35.6 million - creates 83 new positions, program funding in land management, coastal protection, equipment automation, and safe waste. This is a bare bone budget request, he said, but one we feel is essential to carry out DEM's mandate. The Governor's recommendation - $30.6 million with $2.1 million in retained revenue; House recommendation - $30.7 million with $3.2 million in retained revenue. Most disturbing, he continued, is Senate Ways & Means proposal for overall consolidation of DEM, MDC and Fish & Wildlife. It is unclear at this point as to how much money would be set aside for DEM. Also, it would appear that staffing and funding would be dramatically reduced. Most unsettling is the wording which indicates that the consolidation is to be effective July 1, 1990. We are naturally opposed to this version, and hopefully, this will be rectified when the budget recommendations goes before Conference Committee in about two weeks. The Board asked to be kept posted on the budget crisis.

Commissioner Kendall informed the Board that there is a growing concern of suspected hazardous substance stored at several of DEM facilities which has been collected over a ten year period - Pittsfield State Forest, Wompatuck State Park, Maudslay State Park -- with a possible 21E site at the Myles Standish State Forest. He reported that he has requested the DEQE investigate these areas as soon as possible for a determination of the substance. Also, he said, the Department has obtained a $300,000 grant from DCPO to award contracts for having this material packaged and shipped out of the areas. The Board expressed its appreciation for the manner in which this crucial issue was handled.

There being no further business to come before the Board the meeting adjourned at 3:30 p.m. - followed by a press conference with Secretary DeVillars announcing a very advanced river policy statement for Massachusetts.

The date for the July Board meeting is to be announced at a later date.

Sarah H. Bree

Secretary pro tem

A meeting of the Board of Environmental Management was held on Tuesday, July 20, 1989 at 11:30 a.m. at the Quinsigamond State Park, Regatta Point, Worcester.

Members present were Chairperson Nan Jenks-Jay, Sarah Bell, John Capone, David Musante. Members absent -- Carol Lash, James Tobin, Hugh Davis. Also present was Commissioner Richard Kendall and Deputy Commissioner Jon Geer.

Upon motion of John Capone, seconded by Sarah Bell, the minutes of the June 20, 1989 meeting were unanimously approved.

Thomas Lynch, Regional Assistant to the Commissioner, gave an overview of Region III's activities (Mr. Lynch had recently resigned his position as Regional Supervisor for Region III). Mr. Lynch first made mention that Region III contained over one million acres of land of which 650,000 acres are woodlands; 34 recreational areas -- 23 parks, 4 rinks, 7 pools (with over 3 million visitors each year) and a revenue intake of over $600,000. A unique feature within the region, he said, is the ski area at Mt. Wachusett which is a very successful public/private venture with a revenue intake of over $12.5 million in private monies, and an income revenue to DEM in the amount of $245,000. He followed the briefing with a slide presentation of the Eastern Sprints Rowing Championships held each year at Quinsigamond State Park. This is also a very successful public/private venture and considered to be a world class event, he added. He brought to the Board's attention the recent tornado disaster in the Town of Princeton where DEM employees gave invaluable assistance to the Town in terms of manpower hours and equipment.

Lori Keough, GOALS Planner for Region III presented the Boxford State Forest GOALS Plan. She indicated on maps the various recreational

uses that will be allowed - horseback riding, walking, jogging and nordic skiing. These uses are based on the level of fragility, she said. She noted the unique compatability between the uses and the environment, as well as a unique planning effort between DEM, Fisheries & Wildlife,and a private land trust (Essex County Greenbelt Association). She made mention that motorized vehicles were prohibited because of public opposition voiced at the public meetings.

Attorney Gioia DeCarlo addressed the Board regarding the F. Gilbert Hills State Forest GOALS Plan. She stated that she was representing the New England Trail Riders Association and its strong concerns for optimum motorized vehicle opportunity within the Forest which the Plan does not address to her clients satisfaction. She stated that it was her understanding that the Board was to accept the GOALS Plan today, but, in fact, she believed it could not legally do so because it would be acting in violation of Chapter 30A, Section 11A (Public Meeting Law). She said that the GOALS Plan was a statewide issue and a statewide notice should have been posted. She contacted the Commonwealth's Office of the Secretary of State and learned that no such notice had been posted - therefore, no legal action could be taken today. She requested that action regarding the Plan be tabled and another public hearing be held at which her clients and other interested individuals could voice their concerns. It was her clients opinion that they were not given adequate recognition at previous meetings.

Chairperson Nan Jenks-Jay thanked Attorney DeCarlo and said that the issue would be tabled for today. She asked Commissioner Kendall to have the Department's Attorney Jeff Larson review the posting process and report back to the Board. (See attached.) She further stated that she considered GOALS plans to be working documents providing multiple uses where appropriate for each area, and that they could be amended. Sarah Bell requested that Attorney Larson also advise the Board of the legal definition of a public meeting/public hearing.

Deputy Commissioner Jon Geer presented an update of the FY'90 budget - what was approved by the Legislature and what was vetoed by the Governor. He said that the Legislature approved a consolidated budget of $29,170,000 - the Governor vetoed $1,580,000. He withheld $590,000 in the Office of Safe Waste Management, leaving that office without enough money to pay salaries for the full fiscal year. Fortunately, he said, the Legislature approved $3,150,000 in retained revenue which the Governor left intact.

Commissioner Kendall reported that the Department is faced with a $2.3 million reduction in its FY'90 budget. We have increased the responsibilites of the entire staff, especially in Forests & Parks where they have been pushed to the limit. To get through this year, he said, we are launching a major effort to seek volunteers to help out in the parks. We are looking at every conceivable way where we can save dollars in order to prevent the closing of any of our areas. We need to be creative, we need to reach out to multiple user groups and the entire DEM staff is working on compiling these lists. He said, I am committed to providing quality park experience and whatever it takes we will keep our parks open. The Board extended its cooperation and commended the Commissioner for innovative approach to the budget crisis.

There being no further business to come before the Board the meeting adjourned at 2:15 p.m.

The date for the next Board meeting will be scheduled at a later date.

Sarah H. Beard
Secretary

A meeting of the Board of Environmental Management was held on Monday, August 28, 1989 at 11:00 a.m. at the Waquoit Bay National Estuarine Research Reservation in Falmouth.

Members present - Chairperson Nan Jenks-Jay, Sarah Bell,Carol Lash. John Capone and James Tobin. Absent - Hugh Davis, David Musante. Also present was Commissioner Richard Kendall and Deputy Commissioner Shelley Beeby.

Upon motion of John Capone, seconded by James Tobin, the minutes of the May 19, 1989 and July 20, 1989 meetings were unanimously approved.

At the outset of a discussion regarding the F. Gilbert Hills State Forest GOALS Plan, Sarah Bell mentioned that she had visited the Forest on the previous day and considered her visit a disasterous experience. While at the picnic area, she said, the noise and interruption from the bike riders convinced her that bike trails should be segregated at DEM areas. Carol Lash voiced her opinion as well by stating that trail bikers do not have a positive impact on the park system, that they were not the largest user group, and that they should be segregated from other uses of the areas. As a conservationist, she said, I am not comfortable with this type of activity.

Ms. Jenks-Jay stated that at the previous meeting, at which this issue was discussed, she felt a fair hearing and a reasonable amount of time was allotted to Attorney DeCarlo to present her clients (New England Trail Riders Association) concerns. As a result of the discussion, she said, the Board tabled its action on the GOALS Plan until the DEM's attorney reviewed the allegations made by Attorney DeCarlo. She then requested the Department's Attorney, Jeff Larson, to report on his findings.

Attorney Larson stated that as requested by Commissioner Kendall, he reviewed the open meeting law and determined that the allegations were unfounded and that the Board would be justified in voting on the GOALS Plan if they so wished. He said that a letter was sent to the Attorney General's office summarizingthe Department's response to the allegations.

Attorney Miyares, representing the NETRA, addressed the Board and reiterated what Attorney DeCarlo stated at the previous meeting -- violation of the open meeting law, and the process followed at the public hearings at which his clients were not allowed to present their objections and/or proposals regarding trail designation. He informed the Board that he also contacted the Office of Attorney General. He further stated that his office is prepared to take the issue to Superior Court, if necessary. He suggested to the Board that they again table action on the trails portion of the F.Gilbert Hills State Forest GOALS Plan, and to reconvene the public meeting to allow his clients to present their proposal.

Ms. Jenks-Jay thanked Attorney Miyares for his presentation. However, she said, the Board should move forward on the issue. She said that she was satisfied with Attorney Larson findings, and that she had received a letter from Regional Supervisor Todd LaFleur in which he explained the public meeting issue to her satisfaction. Following further discussion, the Board unanimously agreed to send the letter prepared by Mr. Larson to Attorney Miyares. Ms. Jenks-Jay signed the letter and requested that it be mailed from the Boston office.

Attorney Miyares requested an advanced copy of the letter being sent to him as well as a copy of Mr. LaFleur's letter to Ms. Jenks-Jay. Both were made available to him.

Peter Lewis, a member of the King Philip's Trail Riders Association as well as a member of the F. Gilbert Hills State Forest advisory committee, addressed the Board. He stated that their basic objections to the plan was the strict segregation of bike trails, and the fact that they were not given the opportunity to present their proposals at the public meetings.

Dennis Lennan, a member of the NETRA spoke next and said that the reason the Association engaged the attorney was because they were not allowed to make a counter proposal regarding the segregated bike trials. I believe, he said, the problem lies with Todd LaFleur the Regional Supervisor, whom he termed as a very "angry" man who refused to listen to any suggestions. He further stated that his organization has always had very good relations with the Department, but they are now being "froze out" by this one man. He stated that he felt the Board was only hearing one side of the issue. He also asked that public meetings be reconvened and that they be allowed to present a counter proposal.

Ms. Jenks-Jay asked Commissioner Kendall to investigate the allegations made regarding Mr. LaFleur.

Sarah Bell stated that the Board had deliberated long and hard on this issue and suggested that they move forward and approve the GOALS Plans.

Upon motion of Sarah Bell, seconded by James Tobin, it was

VOTED - to approve the Boxford State Forest GOALS Plan as presented at the August Board meeting.

Upon Motion of Sarah Bell, seconded by James Tobin, it was

VOTED - to approve the F. Gilbert F. Hills State Forest GOALS Plan as presented at the August Board meeting.

Both plans were unanimously approved by all members present and voting.

Commissioner Kendall then discussed briefly the FY'90 budget and reiterated the substantial reductions. He stated that the Department will depend heavily on its retained revenue which he is projecting to be approximately $8.7 million.

Commissioner Kendall discussed with the Board the position of Director of Forests & Parks. He said that the search committee has provided him with four very strong candidates - 3 in-house, 1 out of state. He said that the candidate from North Carolina would be an excellent choice but in these crucial times he did not think it would be fair to offerthe job to him when quite possibly in 3-6 months the structure of the Department may possibly change substantially and could very well leave him without a job. Therefore, he said, I am considering Charles Dane and Kathy Smith - both excellent candidates, but that Kathy lacked managerial experience. He told the Board that he would have his final recommendation for the Board's approval at the September meeting. Ms. Jenks-Jay raised questions regarding the Commissioner's recommendation.

Sarah Bell suggested two topics for discussion at future Board meetings -- existing towers on DEM land and policy; and Greylock Glen.

There being no further business to come before the Board, the meeting adjourned at 2:30 p.m.

The date for the next Board meeting will be determined at a later date.

Carol A. Lark
Secretary

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Commonwealth of Massachusetts
Executive Office of Environmental Affairs
Department of Environmental Management

100 Cambridge Street
Boston
Massachusetts
02202

Office of the Commissioner

MEETING OF THE BOARD OF ENVIRONMENTAL MANAGEMENT

TO: Board of Environmental Management

FROM: Commissioner Richard E. Kendall

DATE: August 1, 1990

There will be a meeting of the Board of Environmental Management on Wednesday, August 15, 1990 at 1:15 p.m. in the office of the Commissioner, 100 Cambridge Street, Boston. Please notify this office if you are unable to attend. Thank you.

Richard E. Kendall

Richard E. Kendall
Commissioner

cc: Executive Office for Administration and Finance
Room 373, State House

Office of the Secretary of State
Room 2A, 1 Ashburton Place

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A meeting of the Board of Environmental Management was held on Tuesday, October 10, 1989 at 12 noon in the office of the Commissioner, 100 Cambridge Street, Boston.

Members present - Sarah Bell, Carol Lash, James Tobin, John Capone, Hugh Davis. Members absent - Nan Jenks-Jay, David Musante. Also present was Commissioner Richard E. Kendall.

The minutes of the August 28, 1989 meeting were unanimously approved.

Commissioner Kendall referred to the Board his recommendation to appoint Charles Dane as Director of Forests & Parks, and to recommend Kathy Smith as Chief of Recreation. Mr. Dane, he said, has been employed at DEM for 25 years, his background is forestry, he was Regional Supervisor in Regions I and III and at the preent time is Chief of Recreation. He also brings to the position, management skills in personnel - experience in all matters relating to forests and parks - and he enjoys the confidence of the park personnel. Ms. Smith will bring to the position of Chief a background in outdoor recreation, organizational skills, tremendous strength in policy as well as a fresh outlook. In addition, he said, the appointment will introduce a woman into a high level position. With these appointments, he continued, I hope to create a leadership team with Charles Dane/Kathy Smith (F&P), Andrea Lukens/Jack Lash (P&D).

Following discussion, upon motion of Hugh Davis, seconded by John Capone, it was -

VOTED - to accept Commissioner Richard Kendall's recommendation to appoint Charles Dane as Director of Forests and Parks; and to approve the Commissioner's recommendation of Kathy Smith as Chief of Recreation.

Mr. Dane attended the meeting, at which time the Board extended its congratulations, and Mr. Dane expressed his pleasure on his appointment.

He said that he would do his utmost to carry out the outstanding work of the Department.

Commissioner Kendall briefed the Board on the budget crisis. He said that the Department has been requested to reduce its operating budget to reflect both a 5% and 10% reduction in dollars as well as personnel. This would have a staggering effect on the Department especially Forests & Parks, he said.

Jack Lash then discussed with the Board a proposed visit to a RNA site. He mentioned several choices, and it was agreed to visit the RNA site at the Mt. Wachusett State Reservation. He also mentioned that he would be presenting the Robinson State Park GOALS Plan for the Board's approval at the November meeting. As a note of interest, he said, the Board has approved 11 RNA's to date - 5 classified as back country, and 6 RNA's. There will be four more nominations - 2 in-house, 3 from citizens advisory groups, he added.

In reporting on the F. Gilbert Hills State Forest GOALS Plan, Mr. Lash said that the King Phillip Riders Association members attended the recent F. Gilbert Hills advisory committee meeting, and at that time voted to adopt trails in the Wrentham and Franklin State Forests; and to accept the F. Gilbert Hills State Forest GOALS Plan as approved by the DEM Board. He added that at the meeting the Trail Riders group indicated that they were happy to be working again with DEM on trail issues. We have heard nothing further regarding the law suit, he said.

Attorney Larson stated that the trails issue brought the "open meeting" law into focus and that he is working with the Attorney General's office investigating if/how the law should be expanded to all committees within DEM.

Commissioner Kendall then brought to the Board's attention the two Holyoke HSP eminent domain takings for signature. It was explained that the Board had previously approved the takings in 1988 but due to the fact that negotiations for the easements were not completed within the appropriate time frame, the Certificate of Vote required a change of date and new signature.

Upon motion of Sarah Bell, seconded by John Capone, it was

VOTED: That the Board of Environmental Management, pursuant to the provisions of Sections 3 and 3A of Chapter 132A of the General Laws, as amended, approved the exercise of the power of eminent domain by the Commissioner of the Department of Environmental Management to acquire a parcel of land (excluding buildings thereon) in the City of Holyoke, Hampden County containing 1.28 acres, more or less and more particularly described in the attached "Exhibit A", owned now or formerly by Holyoke Water Power Company.

voted: That the Board of Environmental Management, pursuant to the provisions of Sections 3 and 3A of Chapter 132A of the General Laws, as amended, approves the exercise of the power of eminent domain by the Commissioner of the Department of Environmental Management to acquire a parcel of land (excluding buildings thereon) in the City of Holyoke, Hampden County containing 0.8 acres, more or less and more particularly described in the attached "Exhibit A", owned now or formerly by Holyoke Power Company.

Commissioner Kendall discussed with the Board the Myles Standish cottage issue. He stated that there are 158 structures, many of them quite substantial - and because they are privately owned but on state land they are in violation of Chapter 97. As mandated by the State Auditor, we have explored several options in an attempt to resolve this issue, he said. Numerous in-house meetings as well as several public meetings have been held, but no final agreement has been reached. One consideration, he said, is a phase out process with a 3-year termination notice at which time they will be required to remove their structures. However,

this will be extremely costly and we then may be faced with abandonment leaving this responsibility on DEM. We will submit our recommendations to Secretary DeVillars for his approval, this week, he said.

Commissioner Kendall touched briefly on the MDC/DEM merger. It is my feeling, he said, that some form of consolidation will take place but not to the degree that is being proposed at this point in time. Mr. Tobin questioned the Board's role should such a merger take place. The Commissioner repled that it is not clear at this point what the statutory authority will be.

Gary Briere and Jeff Larson briefed the Board on the Greylock Glen project. Attorney Larson informed the Board of the eminent domain taking of a 928 acre parcel of land adjacent to Greylock Glen. However, he said, the land is owned by the Heritage Bank and on the same day of taking the bank filed suit against the DEM. Gary Briere reported that within the last three months there have been three major events take place which alters the proposal considerably. He explained that when the proposal went through the MEPA process the residential units were reduced from 1275 to 850 and would be much less expensive; the lake was eliminated which eliminated the alpine ski area - without water there can be no snowmaking.

Sarah Bell expressed her concern with the Department being involved in a project of this magnitude. At the beginning, she said, it was viewed to be a creative and sensitive project and that it would be an economic boost as well as a public recreational facility for the Town of North Adams. It went way beyond that, she said, it became a very private

project with not a great deal to do with public recreation. The whole idea, she continued, was conceived in "fat" times but with the fiscal crisis being what it is, the Board should take a second look at the project. She further stated that the Board should have been more involved in the decision making process from the beginning, but they had little or no input at all. Would it be possible, she said, for DEM to get out of the project, could we reimburse Heritage Group what they have invested so far.

Carol Lash mentioned the need of a Performance Bond should the developer default for one reason or another. Jeff Larson replied that the Performance Bond is being addressed in the LDA, no final decisions have been made, and the agreement has not been finalized as yet. Gary Briere further stated that Heritage Group is still committed to the project and they also have many unanswered questions. Sarah Bell requested that the Greylock Glen discussion be continued at the November Board meeting.

There being no further business to come before the Board the meeting adjourned at 2:30 p.m.

The date for the next Board meeting was scheduled for Thursday, November 9, 1989 at 11:00 a.m. at the Mt. Wachusett State Reservation in Clinton.

Carol A. Lash
Secretary

A meeting of the Board of Environmental Management was held on Thursday, November 9, 1989 at 11:00 a.m. at the Mt. Wachusett State Reservation in Princeton. Ma.

Board members present - Chairperson Nan Jenks-Jay, Carol Lash, Sarah Bell, John Capone, James Tobin. Absent - Hugh Davis, David Musante. Also present was Commissioner Richard Kendall.

The minutes of the October 10, 1989 meeting were unanimously approved upon motion of Sarah Bell, seconded by Carol Lash.

Commissioner Kendall requested the Board's approval to designate Kathy Smith as Acting Director of the Division of Forests and Parks. Upon motion of Sarah Bell, seconded by Carol Lash, it was

VOTED - to approve the designation of Kathy Smith as Acting Director of the Division of Forests and Parks in the absence of the Director.

Commissioner Kendall discussed the DEM budget status and in so doing reported that the budget has been prepared to reflect 5% and 10% reduction. He said that there is a possibility that there will be an additional 5% reduction. If this is a reality, additional facilities will be closed over the 30 already targeted, and it will cause layoffs up to 32 positions. Everything is being done to prevent this, he said, we've developed a strategy which includes a request to be exempt from further cuts by allowing a percentage of the revenue DEM expects to take-in, which we are projecting to be about $9.3 million. We have approached the Legislature, and through a so called "friendly" amendment offered by House Ways & Means - will change the current retained revenue formula - increasing DEM's retained revenue from $2,300,000 to $2,850,000. In discussing the bond spending plan, he said that funds were allocated as follows: 28% acquisition; 28% Urban HSP's; 22% park rehabilitation; 17% Boston Harbor projects; 2% Waterways projects. Our cap is $13,750,000.

Nan Jenks-Jay mentioned that she had received calls regarding the termination of 03 consultants. The Commissioner stated that he was directed to reduce 03 staff by 17 positions, and there may be more reductions. Also, he said, there are long delays in renewing 03 contracts, if at all. These people are professionals, and in order to protect them we will propose that they be converted to 01 positions in the FY'91 budget request.

Don Stoddard, Regional Supervisor for Region III gave an overview on Mt Wachusett Reservation and introduced the personnel who maintain the area. He and the Commissioner briefed the Board on the recent event at the Gardner skating rink. He said that for the first time in American history three Russion youth hockey teams from the Soviet Union visited new England and played American youth hockey teams at the Gardner and Marlboro skating rinks. The Commissioner mentioned that participation at the games was incredible and that the event received great media coverage.

Mr. Tobin mentioned an article in the newspaper noting that DEM is allocating $1.3 million to the city of Fall River to relocate a carousel adjacent to the Fall River Heritage State Park which met with some opposition. The Commissioner replied that this decision was made before his time. However, he said, the city of Fall River felt that it would be an added tourist attraction for the city, especially since it is a depressed area. In further discussing the HSP program the Commisioner stated that he was not all that convinced that HSP's should be a DEM budget responsibility but rather a Commerce and Development role. Nan Jenks-Jay agreed with the Commissioner.

Commissioner Kendall briefly discussed the Greylock Glen project. He said that the Department should focus on what's the best use of the land. He still had many legal concerns, he said, and continues to feel that Greylock Glen is out of the relm of DEM's mission. Nan Jenks-Jay mentioned that the town of Adams is also beginning to be concerned.

Jack Lash spoke briefly on the new Massachusetts Wildlands brochure and introduced to the Board those individuals responsible for its publication. He also presented the Board with the Robinson State Park GOALS Plan which will be discussed at the December meeting.

Thomas Lynch then gave a slide presentation of the Mt. Wachusett ski area from its early construction stages to the present operation.

There being no further business to come before the Board the meeting adjourned at 2:30 p.m. The Board members were given a tour of the ski area and a site visit to the Red Oak Natural Area within the Reservation.

The date for the next Board meeting was scheduled for Tuesday, December 12, 1989 at 12 noon in the office of the Commissioner, 100 Cambridge Street, Boston.

Carol A. Lash
Secretary

A meeting of the Board of Environmental Management was held on Tuesday, December 12, 1989 at 12 noon, in the office of the Commissioner, 100 Cambridge Street, Boston.

Board members present - Chairperson Nan Jenks-Jay, Sarah Bell, James Tobin, Hugh Davis. Members absent - Carol Lash, John Capone, David Musante. Also present was Commissioner Richard E. Kendall.

Commissioner Kendall distributed copies of DEM's FY'91 budget recommendation and stated that Secretary DeVillars will be holding a hearing on EOEA's budget recommendations at 4 p.m. today at Gardner Auditorium. In discussing DEM's budget recommendations the Commissioner said, we will be looking for legislative support for passage of a park ranger bill. He explained that the legislation authorizes DEM to create park ranger positions within the Division of Forests and Parks with police authority to issue non-criminal citations of fines up to $50 for such violations as alcohol abuse, vandalism, illegal dumping, etc. He said, these funds will be applicable to the Department's retained revenue account which should be substantial. It will cost an initial $20,000 to train the rangers through the Police Academy. We now pay outside law enforcement personnel $28/hr. - we will pay DEM park rangers $8.95/hr. We should realize a savings of over $100,000 by eliminating the outside law enforcement personnel, we will increase our retained revenue, and at the same time we will be fulfilling our mandate to protect our natural resources. He added that the rangers will be unarmed.

Commissioner Kendall asked Anna Prince, DEM's Budget Director to brief the Board on the FY'91 budget recommendations. In doing so, Director Prince said, DEM is developing a budget plan for FY'91 that will minimize the effect of the $4.6 million shortfall expected if no new revenues or taxes are forthcoming. Should the shortfall occur, she said, it will cause an additional layoff of 180 personnel, or eliminate

4 of the 5 program divisions. What we are proposing is to generate and retain more revenues, seek funding from dedicated tax initiatives such as gas tax and Chapter 91 revenues. DEM has never realized funds from such taxes and this may be the opportunity to open discussions for funding from dedicated taxes. A clearer explanation of these taxes is outlined in the budget package you received today. The Board thanked Director Prince for her informative briefing.

Robert Freedman discussed with the Board the policy on accepting permanent gifts of art. From time to time, he said, the Department is offered works of art with a request that they be displayed at one of our areas; some are good, some not so good, and to determine what is acceptable and what is not we are establishing a screening committee which will include DEM employees as well as outside professionals knowledgeable in public art. We would like to present the screening committee's final recommendations to the Board for its consideration. Dr. Davis stated that he did not feel qualified to make a decision on what's good or not good art and therefore felt the Board should not be involved. Nan Jenks-Jay stated that it should be a responsibility of the Board to be part of the decision making. Do to a lack of a quorum, it was agreed to defer further discussion on the issue when more Board members were present.

Jack Lash brought before the Board the Robinsion State Park GOALS Plan and said that the time period for comments from the general public has been extended until the end of the year, therefore he is not seeking the Board's acceptance of the GOALS Plan at this time.

Acceptance/rejection of the Plan was deferred to the January meeting.

Commissioner Kendall brought to the Board's attention, several excellence awards that DEM has received over the past several months.

> Massachusetts Horticultural Society gold medal award for excellence of design and execution of innovative parks in critical sites - heritage state parks.
>
> Citation for Excellence in Urban design for 1990 given by the American Institute of Architects.
>
> Massachusetts Recreation Association award for design of Ashland State Park Beach - designed for the handicapped.

Nan Jenks-Jay stated that she hoped the Board would begin to place more emphasis on natural areas designation at future Board meetings. Jack Lash mentioned that research is a very important part of the natural areas designation process and that he is encouraged by the number of calls he has received from people asking what they can do to help in the process. Hugh Davis suggested that a letter or press release be distributed to biology/geology science programs throughout the state asking for volunteers.

Hugh Davis stated that at some future Board meeting he would like to have a discussion on the role of the Board vis-a-vis the Commissioner and how the Board could be of more assistance to DEM. Commissioner Kendall stated that he sees the Board as a very strong arm in establishing policy and decision making in long term planning needs. Further discussion was deferred until a later Board meeting.

There being no futher business to come before the Board, the meeting adjourned at 3:40 p.m.

The date for the next Board meeting was scheduled for Tuesday, January 16, 1990 at 12 noon, in the office of the Commissioner.

Sarah H. Bree
Secretary pro tem